



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Maria PALASIS

Serial No.: 09/542,935

Filing Date: April 4, 2000

For: Insertable or Implantable Medical  
Devices Suitable for Gene Therapy  
Regimens

Art Unit : 1635

Examiner : B. Whiteman

Assistant Commissioner of Patents  
Washington, DC 20231

## RESPONSE TO RESTRICTION REQUIREMENT and PRELIMINARY AMENDMENT

SIR:

This is in response to the Communication from the Examiner mailed September 6, 2002 setting forth a shortened statutory response period of one month. Accordingly, this response is due on or before Monday, October 7, 2002.

The Examiner requires restriction to one of the following species:

- (i) a second polynucleotide carried by a carrier
- (ii) a protein
- (iii) a non-genetic therapeutic agent, or
- (iv) cells

RECEIVED

OCT 9 2002

TECH CENTER 1600 2900

The Applicant elects without traverse, the species "a non-genetic therapeutic agent", for prosecution in the present application.

The Examiner further requires restriction to a species of stents generically recited in claims 19 and 44. The Applicant elects without traverse, the species "a metallic stent", for prosecution in the present application.

The Examiner also requires election of a single species disclosed in claims 9

101 FC:183

144.00 CH

13833325 13833326 13833327 13833328 13833329 13833330 13833331 13833332 13833333 13833334 13833335 13833336 13833337 13833338 13833339 13833340 13833341 13833342 13833343 13833344 13833345